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7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 HELEN MOJTEHEDI, an individual,

Case No. 2:23-cv-00402-JCM-DJA

10 Plaintiff,

11 v.

12 CHRISTIAN DURANTE d/b/a and a/k/a
DURANTE INSURANCE and FINANCIAL
13 SERVICES also d/b/a and a/k/a DURANTE
AGENCY; DOES 1 through 10 and ROE
14 Corporations 11 through 20,

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**
(First Request)

15 Defendants.

16
17 Defendant Christian Durante (“Defendant”) and Plaintiff Helen Mojtehedi (“Plaintiff,”
18 and collectively “the Parties”), by and through undersigned counsel, hereby file this Stipulation
19 and Order to Extend Discovery Deadlines (First Request).

20 IT IS HEREBY STIPULATED AND AGREED between the Parties to extend all dates
21 contained in the current Discovery Plan and Scheduling Order, entered May 03, 2023 [ECF No.
22 17] (the “Scheduling Order”), for an additional ninety (90) days. In accordance with Local Rule
23 26-3, the parties state as follows:

24 **I. DISCOVERY COMPLETED TO DATE**

25 The parties have participated in the following discovery to date:

26 **A. Initial Disclosures**

27 The Parties have each served their initial disclosures and one or more supplements.

28 / / /

1. Plaintiff Helen Mojtehedi served her Initial Disclosures on May 5, 2023, and supplemented her disclosures on May 18, 2023; June 2, 2023; and July 13, 2023.

2. Defendant served his Initial Disclosures on May 1, 2023, and supplemented his disclosures on May 24, 2023; June 20, 2023; and June 29, 2023.

B. Written Discovery Requests

- Plaintiff Helen Mojtehedi served the following written discovery requests to Defendant:

- a. Plaintiff's First Set of Requests for Production of Documents on March 15, 2023, and Defendant served his response on May 1, 2023.
- b. Plaintiff Helen Mojtehedi's First Set of Requests for Admission to Defendant on May 18, 2023, and Defendant served his responses on June 6, 2023, and supplemented his responses on June 29, 2023.
- c. Plaintiff Helen Mojtehedi's First Set of Interrogatories to Defendant on May 18, 2023, and Defendant served his Objections to Plaintiff's First Set of Interrogatories on June 20, 2023.
- d. Plaintiff Helen Mojtehedi's Second Set of Requests for Production of Documents to Defendant on May 18, 2023, and Defendant served his response on June 20. 2023.

2. Defendant served the following written discovery requests to Plaintiff:

- a. Defendant's First Set of Requests for Production of Documents on May 3, 2023, and Plaintiff served her responses on July 6, 2023.
- b. Defendant's First Set of Interrogatories to Plaintiff on May 3, 2023, and Plaintiff served her responses on July 6, 2023.
- c. Defendant's Second Set of Requests for Production of Documents on June 6, 2023, and Plaintiff served her responses on July 6, 2023.
- d. Defendant's Second Set of Interrogatories on June 6, 2023, and Plaintiff served her responses on July 6, 2023.



1 e. Defendant's Third Set of Requests for Production of Documents on
2 August 11, 2023 and Plaintiff's responses are Due September 10,
3 2023.

4 f. Defendants First Set of Requests for Admission on August 11, 2023,
5 and Plaintiff's responses are Due September 10, 2023.

6 **C. Subpoenas to Third Parties**

7 No subpoenas have been served by either party yet in this case, but the Parties are in the
8 process of negotiating a stipulated protective order that will allow for the designation of third-
9 party records as confidential.

10 **II. DISCOVERY THAT REMAINS TO BE COMPLETED**

11 In addition to the discovery that has been completed to date, the Parties anticipate
12 conducting the following, additional discovery in this case:

13 1. The entry of a stipulated protective order;

14 2. Plaintiff and Defendant, may serve additional written discovery requests;

15 3. Plaintiff and Defendant each anticipate supplementing their initial disclosures;

16 4. Plaintiff and Defendant have each agreed to supplement their written discovery
17 responses;

18 5. Depositions of both Parties;

19 6. Depositions of third-party witnesses, which are expected to include, but not
20 limited to, Plaintiff's current medical provider(s); and

21 7. Third-Party subpoenas for records.

22 Additionally, the parties will continue to meet and confer regarding outstanding
23 discovery.

24 The Parties are aware of the Court's strong emphasis on completing discovery within the
25 time frame set forth in the Scheduling Order. The Parties respectfully submit that neither side has
26 been derelict nor waited until the eve of the close of discovery. Rather, the Parties have been
27 working diligently to resolve a significant number of discovery disputes, to prepare a proposed
28 protective order, and to obtain records from third parties.

1 The parties have demonstrated a consistent commitment to communication, actively
2 engaging in ongoing discussions to address the matter at hand. Therefore, the delay in
3 completing the discovery is not the result of the Parties' neglect or inattention, but due to the
4 disputes and the need for more discovery in this case. Furthermore, counsel for the Parties have
5 been able to work together to propose a schedule that will fairly accommodate all Parties' needs
6 and provide them with the best opportunity to timely complete discovery and to resolve their
7 disputes without the need for further extensions. Accordingly, there is good cause for granting
8 the requested extension.

9 **III. PROPOSED DISCOVERY SCHEDULE**

10 The parties request that the pertinent discovery deadlines set forth in the current
11 Scheduling Order be continued as follows:

12 **A. Discovery Cutoff Date:**

13 The proposed cutoff date for discovery is **Monday, December 11, 2023**, which is 91
14 days after the current discovery cutoff date of Monday September 11, 2023 (the 90th day after
15 the current discovery cutoff date falls on a Sunday.)

16 **B. Dispositive Motions:**

17 The proposed cutoff date for filing dispositive motions is **Tuesday, January 9, 2024**,
18 which is 90 days after the current deadline of October 11, 2023.

19 **C. Pretrial Order:**

20 The proposed date for filing the joint pretrial order is **Friday, February 9, 2024, or, if**
21 **dispositive motions are filed, 30 days after the decision on the dispositive motions**, which is
22 90 days after the current deadline of November 11, 2023.

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1 DEADLINE	2 CURRENT DATE	3 NEW DATE
Last Day to Amend Pleadings and Add Parties	Tues. June 13, 2023	No Change
Initial Expert Disclosure	Tues. July 13, 2023	No Change
Rebuttal Expert Disclosure	Mon. Aug. 14, 2023	No Change
Discovery Cut Off	Mon. Sept. 11, 2023	Mon. Dec. 11, 2023
Last Day to File Dispositive Motions	Wed. Oct. 11, 2023	Tues. Jan. 9, 2024
Last Day to file Joint Pretrial Order	Fri. Nov. 20, 2023	Feb. 9, 2024 or 30 days after the decision on any dispositive motions, whichever is later

8 Respectfully stipulated to and submitted by,

9 Dated this 21st day of August 2023.

10 HONE LAW

11 /s/Kelly B. Stout

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15 Attorneys for Defendant Christian Durante

Dated this 21st day of August 2023.

GABROY MESSER

/s/Christian Gabroy

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Attorneys for Plaintiff Helen Mojtehedi

18 IT IS SO ORDERED.


19
20 UNITED STATES MAGISTRATE JUDGE

21 Dated: August 23, 2023

